

### REMARKS

Claims 59-62 and 65-97 are pending and are the subject of the office action. Claims 76-78 and 90-92 have been amended to more clearly refer to the recited antibodies. Support for the amended claims can be found on at least pages 59, lines 5-8, and 88, lines 1-11.

Pursuant to the Examiner's request, the title of the invention has been amended to be more descriptive of the claimed inventions.

On page 1, under "Related Applications", the specification has been amended pursuant to 37 CFR 1.78 to reflect the current status and filing date information for Applicants' priority applications.

The Examiner requested that a new, substitute declaration be filed on the basis that the declaration previously filed purportedly contained a spelling correction that was not initialed or dated. Applicants believe that the declaration originally filed in the application was in fact, not defective (e.g., the declaration was deemed to be acceptable by the USPTO in the parent application), but to expedite the prosecution of the instant application, a newly executed declaration is being provided herewith.

### Notice to Comply With Sequence Listing Rules

In the office action, the examiner issued a Notice to Comply with the requirements for patent applications containing nucleotide and/or amino acid sequences. In accordance with the requirements of 37 CFR Sections 1.821-1.825, Applicants are providing herewith a paper copy of the substitute Sequence Listing, along with a computer readable form of the Sequence Listing and Certificate re Sequence Listing. The sequence disclosures in the Sequence Listing are fully supported by the specification as filed, and as such, do not introduce new matter. A sequence identifier has now been used for the sequences appearing in Figures 2A, 2B and 16, as well as those appearing in the specification or referred to in the claims. The pages of the specification including the Brief Description of the Drawings and claims 76-78 and 90-92 have been amended, as shown above, to reflect these sequence identifiers. Entry of the substitute Sequence Listing into the specification is requested.

Provisional Double Patenting Rejection

Claims 59-62 and 65-75, 79-89 and 93-97 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-5, 10-47 of co-pending application no. 09/346,746 and claim 14 of co-pending application no. 10/207,295.

The undersigned has noted that this is a provisional rejection because the co-pending claims have not yet been patented. Given the status of the co-pending applications referred to by the Examiner, it is respectfully requested that the undersigned attorney and the Examiner have a telephone interview to discuss this rejection further.

Information Disclosure Statements (IDSs)/Forms 1449

Applicants wish to note that IDSs and Forms 1449 were filed on March 3, 2003 and on January 20, 2004. The undersigned would appreciate it if the Examiner could provide copies of those initialed Forms 1449 with the next office communication so as to indicate for the record Examiner's consideration of the cited references therein.

Respectfully submitted,  
GENENTECH, INC.

Date: March 31, 2004

By: Diane L. Marschang  
Diane L. Marschang  
Reg. No. 35,600  
Phone: (650) 225-5416  
Fax: (650) 952-9881